

Application No. 10/047,545
Amendment dated November 6, 2008
Reply to Office Action of August 6, 2008

REMARKS

Applicant amended claim 195 to further define Applicant's invention.

In the Office Action, the Examiner provisionally rejected claims 154-166, 168, 195-218, and 221 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-9, 11-25, 28-145, 148-156, 158-162, 164-168, 170-174, 176-180, 182-192, and 195-197 of copending U.S. Patent Application No. 08/480,908. Applicant is submitting concurrently with this Amendment a Terminal Disclaimer of the terminal part of any patent granted in the present application which would extend beyond the expiration of a patent granted from U.S. Patent Application No. 08/480,908. Applicant submits that the obviousness-type double patenting rejection has been overcome.

In view of the foregoing remarks, it is respectfully submitted that the claims, as amended, are patentable. Therefore, it is requested that the Examiner reconsider the outstanding rejections in view of the preceding comments. Issuance of a timely Notice of Allowance of the claims is earnestly solicited.

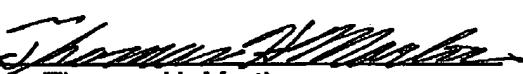
To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this reply, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 50-3726.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: November 6, 2008

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